



# TECHNICAL MEMORANDUM

## Utah Coal Regulatory Program

August 8, 2006

TO: Internal File

THRU: Pamela Grubaugh-Littig, Permit Supervisor, Project Manager   
Stephen J. Demczak, Environmental Scientist/Engineering, Team Lead

FROM: Jerriann Ernstsens, Ph.D., Environmental Scientist/Biology. 

RE: NOI: Canyon Fuel Fee Coal Lease Woods Canyon, Canyon Fuel Company, LLC.,  
Skyline Mine, C/007/005, Task ID #2592

### SUMMARY:

The Division received the Notice of Intention in July 2006 that addresses minor coal exploration drilling of one hole. This memo reviews the biology and archeology sections of the notice.

## COAL EXPLORATION

Regulatory Reference: R645-200.

### REQUIREMENTS FOR NOTICE OF INTENTION TO CONDUCT MINOR COAL EXPLORATION

Regulatory Reference: 30 CFR 772.10; 30 CFR 772.11; R645-100-412; R645-201-200.

#### Analysis:

The Mine and Reclamation Plan (MRP) meets the requirements of R645-201-200.223, R645-201-200.224, or R645-201-200.225 because the Permittee adequately presents narrative describing the exploration area, timing of the project, and method used to protect biological or archeological resources from adverse impacts.

The proposed drill hole would be located within a fee coal lease belonging to Canyon Fuel Company and the surface belonging to a private owner. The legal description for this project including the drill hole, staging area, and road access is:

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## EXPLORATION TECHNICAL MEMO

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T12S, R6E, Sec 25, 26 (staging area), 34, 33, 36 (hole);  
T13S, R6E, Sec 4, 9, 10, 15, 14; [note all undesignated sections listed would be for the proposed road access or heli flight path]. The 7.5 Minute Quadrangle USGS map is the Scofield quadrangle.

The Permittee would transport wireline drill rigs by helicopter and drill one 3" diameter hole. The disturbed acreage for this drill hole would be approximately 0.003 acres. The elevation of the proposed project sites is approximately 8,500- 9500'. The proposed drill-hole staging site is the USFS Manti-LaSal District, Sec 26.

The plan shows that the project will start in mid-August and take approximately two weeks to complete.

### **Archeology**

The Division will comply with the Utah Code Section 9-8-404 laws. The Permittee conducted a cultural survey (Billat 2006) for this proposed project. The results of the Class III survey showed that there were no cultural resources within or adjacent to the drill hole site. Scott Billat also reported that there is a low probability of discovering cultural resources in the project area.

The Division makes the determination that the E06 drill project would have "no effect" to cultural resources because there were no resources observed, there is little potential of discovering cultural resources within the project area, and the project would impact a very small area.

### **Biology**

#### Plants

The Permittee provides an adequate description of the existing vegetation community types. The plan also includes topographic maps and aerial photos of nearby areas. Although this is not a federal action, the Permittee submitted previous reports (USFS BEBA 2005 and USFS Wildlife Resource Report 2005) for the area show that there are no TES plant species.

The Permittee expects minor surface disturbances from the drilling activities. The size of the work pads for the holes would be 0.003 acres. Preparation would not include digging up or removing vegetation. There would be no soil disturbance.

At the end of the project, the Permittee would remove all equipment, rake the vegetation, and spread a seed mix requested by USFS for drilling projects adjacent to this proposed site.

## EXPLORATION TECHNICAL MEMO

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Although this project is not a federal action, and therefore does not require USFS concurrence for the seed mix, the Division considers that developing a new (and native) seed mix is not warranted for this small project.

### Animals

The Permittee provides adequate description of the existing wildlife communities in the narrative and in the accompanying appendices. The Permittee would conduct helicopter drilling at the site and utilize an existing USFS road for access to the helicopter staging area. This plan would help minimize impact to wildlife.

The plan states that the area is designated elk and deer habitat. The Permittee would initiate the drill project after deer and elk exclusionary wintering and calving periods (December 1 through April 15 and May 15 through July 5, respectively). During a goshawk survey, the consultant also noted elk and deer activity. The results showed that there were deer and elk herds within or adjacent to the project area. The Division does not consider that this project would have a significant impact to deer or elk populations for this project because the project would occur after exclusionary periods and the project would use helicopter-drilling methods.

The Permittee conducted a goshawk survey in June 2006. The results showed that there were calling responses in the area, but that there were no nests observed within the buffer zone of E06 drill site.

The Permittee reports that there are no known observations of Mexican spotted owl in the project area. The elevation for the 2006 project site would be above this species preferred nesting habitat of below 8,000' in Utah.

Although this is not a federal action, the Permittee reports that the drill-hole operations would require 0.6 acre-feet of water (p. 11 of this plan). The Permittee would access water from the Skyline Mine.

### **Findings:**

The Mine and Reclamation Plan (MRP) meets the requirements of R645-201-200.223, R645-201-200.224, or R645-201-200.225 because the Permittee adequately presents narrative describing the exploration area, timing of the project, or method used to protect biological or archeological resources from adverse impacts.

## COMPLIANCE DUTIES

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## EXPLORATION TECHNICAL MEMO

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### RECLAMATION STANDARDS

Regulatory Reference: 30 CFR 772.13; R645-202-200.

#### **Analysis:**

This 2006 helicopter supported drilling project would not substantially disturb the drill-hole site locations. The 202-200 regulations, therefore, do not apply.

#### **Findings:**

This 2006 helicopter supported drilling project would not substantially disturb the drill-hole site locations. The 202-200 regulations, therefore, do not apply.

*"Substantially disturb" is defined as: significantly impact land or water resources by blasting; by removal of vegetation, topsoil, or overburden; by construction of roads or other access routes; by placement of excavated earth or waste material on the natural land surface or by other such activities; or to remove more than 250 tons of coal.*

### **RECOMMENDATIONS:**

Approve the amendment.